

1 SEC. 2. That the law as it appears in section nineteen (19), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by adding thereto, at the
4 end thereof and as subsection 19(s), the following:

5 "19(s). An employee shall be deemed to be engaged in 'his custom-
6 ary self-employment', as said words are used in section five (5), during
7 the periods in which he customarily devotes the major portion of his
8 working time and efforts: (1) to his individual enterprises and inter-
9 ests; or (2) to her duties as housewife; or (3) to attending classes and
10 preparing his studies for any school or college."

1 SEC. 3. All Acts, or parts of Acts, in conflict herewith are hereby
2 repealed in so far as they are inconsistent with any of the provisions
3 of this Act.

Approved April 24, 1939.

CHAPTER 65

UNEMPLOYMENT COMPENSATION

S. F. 103

AN ACT to amend the law as it appears in chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to modify the law providing for appeal and judicial review of disputed claims; to clarify the definition of the term "employer" as used herein; to change the classes of employments included within the provisions hereof; and to repeal any acts, or parts of acts, in conflict herewith.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the law as it appears in section six (e), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by striking from the sev-
4 enth (7) line thereof the words: "which is not unanimous".

1 SEC. 2. That the law as it appears in section six (i), chapter one
2 hundred two (102), Acts of the Forty-Seventh General Assembly of
3 Iowa, be and the same is hereby amended by striking therefrom lines
4 nineteen (19) and twenty (20) and to the period in line twenty-one
5 (21), and substituting for the lines so stricken the following: "addi-
6 tional evidence shall be heard. In the absence of fraud any finding of
7 fact by the commission, after notice and hearing as herein provided,
8 shall be binding upon the court on appeal, when supported by substan-
9 tial and competent evidence. The commission may also, in its discre-
10 tion, certify to such."

1 SEC. 3. That the law as it appears in section nineteen (f), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by adding thereto, at the
4 end thereof, and as subsection seven (7), the following:

5 "(7). Any employing unit which has in its employ any employee
6 who is not covered by the Unemployment Compensation Law of any
7 other state and which employee is subject to the Title IX Federal Social
8 Security Act."

1 SEC. 4. That the law as it appears in section nineteen (e), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by substituting a comma
4 (,) for the period (.) at the end thereof and by adding thereto imme-
5 diately following such comma (,), the following: "and provided, fur-
6 ther, that such employment was for a total of not less than eight hours
7 in any one calendar week."

1 SEC. 5. That the law as it appears in subsection seven (7) of section
2 nineteen (g), chapter one hundred two (102), Acts of the Forty-
3 Seventh General Assembly of Iowa, be and the same is hereby amended
4 by adding thereto, at the end thereof and as subsection (i), the follow-
5 ing:

6 "(i) Services performed during school vacations or outside of
7 school hours by students who devote their time and efforts chiefly to
8 their studies, rather than to incidental employment."

1 SEC. 6. All Acts, or parts of Acts, in conflict herewith are hereby
2 repealed in so far as they are inconsistent with any of the provisions
3 of this Act.

Approved April 24, 1939.

CHAPTER 66

UNEMPLOYMENT COMPENSATION

S. F. 104

AN ACT to amend the law as it appears in chapter 102 of the Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation, and the methods of administration of such act.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Amend Sec. 8(b) of Chapter 102 of the Acts of the
2 Forty-seventh General Assembly of Iowa by striking from line 4 of
3 said section the words: "5th day of January", and inserting in lieu
4 thereof the words: "15th day of February".

1 SEC. 2. Further amend Sec. 14(a) of said Chapter by striking from
2 lines 7 and 8 the following words: "for the calendar year 1936".

1 SEC. 3. Further amend said Chapter by striking therefrom Sec.
2 14(d), and inserting in lieu thereof the following:
3 "Sec. 14(d). **Refunds, compromises and settlements.** In any case
4 in which the Commission finds that an employer has paid contributions
5 or interest thereon, which have been erroneously paid, and who has
6 filed an application for adjustment thereof, the Commission shall make
7 such adjustment, compromise, settlement, and make such refund of
8 erroneous payments as it finds just and equitable in the premises.
9 Refunds so made shall be charged to the fund to which the erroneous
10 collections have been credited, and shall be paid to the claimant with-
11 out interest. Any claim for such refund shall be made within three
12 years from the date of payment. For like cause, adjustments, com-